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INTRODUCTION

Background on CAWG

The Canada-Asia Working Group (CAWG) is an ecumenical coalition founded in 1978 and sponsored by the United, Anglican and Presbyterian Churches of Canada, the Canadian Catholic Organization for Development and Peace, Scarboro Foreign Mission Society, and the Canadian Friends Service Committee (the Quakers). CAWG's main activities involve solidarity relations, human rights advocacy and assisting the Canadian churches in their programmes and policies related to Asia.

The Canada-Asia Working Group is guided and motivated in this work by the commandments that form the heart of the Christian gospel: to love God, which we understand to compel us to endeavour to protect and enhance the dignity of all created in the divine image; and to love our neighbours, which we understand to entail a commitment to seeking justice and peace for all.

Canadian churches and religious organizations have deep and historic links with a wide range of groups in Asia, including church bodies, development agencies, human rights groups and peoples' organizations. In preparing these reports on human rights, members of CAWG have made numerous visits during the past year to the countries discussed and have often worked with local partners in investigation and documentation.

Focus and Priorities

The present document is neither exhaustive nor comprehensive. The focus on particular country situations has been guided by several factors: the extent of Canadian church relations with local partners, the severity of human rights problems and the degree to which the situation is followed at the Commission. It is understood that there are numerous other countries in the region in which there are serious human rights issues that demand the urgent attention of concerned Canadian citizens and the Canadian government. We also recognize that there are many other thematic issues which are of concern to colleagues in the region. This is why CAWG has welcomed and will continue to welcome opportunities to collaborate with the Canadian and international NGO communities.

The Canada-Asia Working Group prepares these reports on an annual basis prior to meetings of the United Nations Commission on Human Rights (UNCHR). The reports also form the substance of our contributions to consultations with the Canadian Department of Foreign Affairs, held in Ottawa in February, and which are intended to advise Canada's official delegation to the Commission. The reports are subsequently submitted to the Human Rights Commission and distributed to countries and NGOs participating in its work.

EAST TIMOR

East Timor at the 51st UNCHR

The 51st session of the United Nations Commission on Human Rights (UNCHR) heard much powerful evidence regarding the deteriorating human rights situation in East Timor. Especially significant was the report of the United Nations Special Rapporteur, Mr. Bacre Waly Ndiaye, who visited East Timor in July 1994. Mr. Ndiaye's visit was one of the few actions taken by the Indonesia government, to comply with recommendations from the 50th session of the UNCHR.

The report of the Special Rapporteur highlighted the impunity enjoyed by members of the Indonesian security forces who commit human right abuses. Mr. Ndiaye recommended the drastic reduction of the military presence in East Timor, saying that this is a "prerequisite to confidence building measures allowing the families to feel safe enough to report human rights violations." As an example of this, Mr. Ndiaye pointed to the Santa Cruz massacre and the ineffectual investigation conducted by the government. Mr. Ndiaye sate that he had "clearly sensed the terror among many Timorese people."

In addition to the report of the Special Rapporteur, the Commission hear other testimony regarding the many questions surrounding the Santa Cruz killings, as well as fresh revelations of the murder, in January 1995, of six East Timorese civilians, by Indonesian soldiers near the small town of Liquisa. Indonesia's National Commission on Human Rights has since accepted that the Liquisa killings were "a grave violation of human rights" and confirmed that military officers acted "recklessly", had engaged in torture to extract information and had carried out "unlawful killings".

Canada is to be commended for the leadership it took in the East Timor discussion at the 51st session. Canada and Portugal, in particular, raised the important questions of self-determination for the people of East Timor, the detention and trial of resistance leader Xanana Gusmao, and the fate of people who have disappeared, or have been killed, detained or exiled.

With the presentation of such powerful testimony, Canadian churches and other NGOs hoped that the Commission would pass a strongly-worded resolution which would not only condemn the repressive measures of Indonesian authorities in East Timor but would address the root causes of these human rights problems, by calling for the resolution of the question of East Timorese self-determination. Therefore, we were disappointed that the Commission failed to pass a resolution, but instead agreed to a consensus statement, albeit one that was unusually strong.

A concern expressed by most NGOs at the 1995 consultation was that the passing of statements by the Commission each year had done little to improve the situation in East Timor. Indonesia has disregarded nearly every recommendation. Without a strong signal otherwise, the Commission may be indicating to Indonesia that it accepts uncritically its promises to take certain actions. The fact is, however, that again this past year, Indonesia has failed to act on its commitments in the 1995 statement. This continuing history of non-compliance is a primary concern for Canadian churches.

Military Provocation of Religious Conflict and Unrest

Events during 1995 have increased the urgency for the Commission to take a strong stand on the human rights situation in East Timor. This year, Canadian churches hosted two church leaders from East Timor. They both confirmed that the human rights situation is worse than ever and, in recent month, has become highly charged.

Rioting broke out in several towns in September and October after deliberate provocation by Indonesian authorities. On 2 September, an Indonesian Muslim prison warden in the Maliana jail ignited the troubles by making some insulting comments about Catholicism. When a written protest made by prisoners and Catholic prison wardens was disregarded, riots spread from Maliana to neighbouring towns and to the capital. Crowds of youths gathered in several parts of Dili and attacked Indonesian-owned shops and stalls and burnt vehicles, in what was the greatest display of anger in East Timor urban centres in the last twenty years. Numerous truckloads of police responded to the rioting on 8 September, when tear gas was used to disburse demonstrators in Becora. The military arrested over 200 protestors and refused to provide information on the identities and whereabouts of those detained for many days.

Our church partners in East Timor say that state authorities are intentionally provoking tensions between the Roman Catholic majority and Muslims, as a way of obscuring the real political tensions that exist. The ensuing incidents give the Indonesian government the excuse to deploy more troops and implement more repressive measure against the local population. Bishop Carlos Belo, head of the Roman Catholic diocese of Dili, has urged the Indonesian government to stop using religion to provoke conflict among the communities in East Timor.

Economic Marginalization and Threats to Cultural Identity

The recent outbursts of anger by the East Timorese are a direct result of the Indonesian government's treatment of East Timor as an occupied colony. The forced resettlement of East Timorese rural dwellers has separated hundreds of families from their ancestral lands. The government's policy of transmigration, in which Indonesians from other islands are encouraged to settle on Timor, has led to migrants now accounting for 20 per cent of the population. The wealthier among these migrants have been buying up available land. The Indonesian military and traders have taken over many areas of business. The military, for example, now controls the coffee and coconut trades.

The waves of migrants and the growing economic dominance of traders have been likened to a second invasion of East Timor. The presence of 14 battalions of Indonesian troops, the efforts at Islamization and finally the imposition of Bahasa Indonesia as the official language round out a litany of key reasons as to why East Timorese, in the words of the Indonesian Catholic Bishops Conference, "...feel as if they are being marginalized in their own home." These bishops, in explaining the current unrest, go on to say that: "[t]here are many deep wounds and traumatic experiences that have made the local population quickly suspicious of all migrants, especially when they see more and more migrants arriving and turning into competitors in the labour market. In this situation a tiny event can easily be seen out of proportion, become generalized, and trigger unrest."

The gravity of the threats to the economic, social and cultural rights of the Timorese people is one message that has been repeatedly raised by Bishop Belo. The Timorese representatives who participated in the All-inclusive Intra-Timorese Dialogue (AITD) organized by the UN and held last May in Austria concurred with the Bishop. In the declaration they issued after the meeting, they proposed some measures for the alleviation of the problem and preservation of the culture of the people of East Timor.

Suppression of Freedoms and Crackdowns on Youths

Indonesian officials have closed East Timor to visitors for some time in 1995. In November, members of an ecumenical delegation including Bishop Soma of Japan were either refused permission to enter East Timor or expelled a day after reaching Dili. Our Timorese visitors were also extremely cautious in speaking about the situation there, for fear that they might not be allowed to return. This was one factor in Bishop Belo's decision to cancel a December 1995 trip to Canada, during which he was to

have been presented with a human rights award ("The John Humphrey's Award") and CDN$ 30,000 by the International Centre for Human Rights and Democratic Development.

Indonesia continues to use force and intimidation against those who peacefully express their opinions and dissent. On 27 July, two young men were summarily executed by military personnel close to their homes in the village of Wailakama, in the region of Vemasse. The two men, Marcelino da Silva Belo and Augusto Freitas Belo, a student, were accused of being members of the clandestine movement. Villagers were ordered to gather round and witness the executions. Two other civilians, Inacio and Manual da Silva were shot dead in the morning of 24 August in Viqueque. The killings sparked disturbances in the town when youths burnt four mosques and destroyed stalls owned by Indonesian traders.

Speaking in early December by telephone from East Timor, Bishop Belo told Canadian reporters that a crackdown by security forces was under way and that only hours earlier, 70 youth had been arrested for merely writing the "Freedom" on a wall in the capital. Recently, there also have been reports that East Timorese prisoners and even youth activists will be moved to other parts of Indonesia.

Young Timorese have taken up the cause of self-determination for their country. This indicates that the issue is deeply rooted and will not disappear. It also means, however, that these young people are being targeted and are particularly vulnerable to the ruthlessness of the Indonesian military. Recent occupations of foreign embassies in Jakarta by youth seeking asylum indicate the lengths to which young people will go, to escape the volatile and hopeless situation in their homeland. In recent months, Bishop Belo, who is normally cautious when making phone calls abroad, has been telling supporters about the "desperate situation" of Timorese youths and his fears for their safety.

Despite claims by authorities in East Timor, that security forces do not torture detainees, Amnesty International believes that the torture of political detainees is routine. For instance, in the police station next to the main marketplace in Dili, about 30 young people, both male and female, were held from 8 to 11 September, stripped naked, beaten and tortured. Many were left with facial lacerations, broken teeth and head wounds.

Deterioration of Public Health

Another growing concern is the public health situation in East Timor. A variety of sources confirm that 80% of the East Timorese population of Dili suffers from tuberculosis. Malaria and tuberculosis are also rampant throughout the countryside. The main causes of this situation are the breakdown of traditional production systems and widespread poverty and malnutrition. The mistrust of Indonesian-run hospitals, the open confiscation of medicines by Indonesian authorities and the crowded urban conditions (caused by migration) all contribute to this serious deterioration of public health. Clinics run by religious orders appear to be the only health care facilities East Timorese are willing to seek out. While statistical data on infant and child mortality are difficult to obtain, church sources claim that infants are dying in great numbers. A visit to cemeteries in Dili and other towns reveal that most fresh graves are of small children.

There are continuing reports of Timorese women being subjected to forced sterilization. While there are some who dismiss this as a Catholic concern, it is essentially a violation of the human rights of Timorese women; that is, of their right to choose and have control over their bodies. The Timorese people also believe that the Indonesian government is using its population programme to control and eventually outnumber the Timorese population with Indonesian migrants, making the question of Timorese self-determination irrelevant.

Lack of Progress Towards the Settlement of the Timor Issue

Today East Timor enjoys a higher international profile that at any time since 1975. While this has helped to keep the issue alive and on the UN agenda, no major breakthroughs have been made towards the settlement of the issue of self-determination.

The UN-sponsored ministerial talks between Indonesia and Portugal so far has focused on confidence building measures. Substantive issues were reportedly discussed at the 7th round of talks, held on 16 January 1996 in London, but the Official Communique does not reveal what are these issues. Unquestionably, the Timorese right to self-determination is the fundamental issue that needs to be addressed, in order to move the negotiation process towards a "just, comprehensive and internationally accepted solution." The Indonesian government has taken an intractable position on this issue. And other governments, including Canada, are exerting no real pressure on Indonesia on this matter. As the recent Team Canada visit illustrated, Indonesia's offer of rich prospects for business is making major powers at the UN timid. Given that Canadian and other governments have only engaged in "quiet diplomacy" on the Timor issue, there is no strong pressure on Indonesia to take measures on the question of self-determination.

There is still not direct involvement by Timorese representatives in the UN-sponsored talks, although the UN General-Secretary, who oversees these talks, is consulting Timorese representatives. Participants at the Un-organized All-inclusive Intra-Timorese Dialogue were told that they were not to discuss political issues. As the new Portuguese Foreign Affairs Minister said, "We cannot simply conduct a dialogue through the mediation of the UN...The people exist, they have their own opinions and choices...There can be no solution to the problem of East Timor without the Timorese themselves being involved." In this connection, the release of Xanana Gusmao is a key factor in the process as he, together with Bishop Belo, are the undisputed representatives of the people of East Timor.

Conclusion and Recommendations

At the 52nd UNCHR, we strongly recommend that in the Item 10 speech, the Canadian delegation not only condemn the repressive measure of Indonesian authorities in East Timor but also strongly call on the Indonesian government to bring to the negotiation table concrete measures for the resolution of the self-determination issue. WE believe that a UNCHR resolution is the appropriate action to exert stronger pressure on the Indonesian government, to act on the UN recommendations and to take concrete measures to improve the human rights situation in East Timor and resolve the issue of self-determination. We strongly urge the Canadian delegation to actively lobby for it. We recommend that the Item 10 speech and the resolution:

1. express in strong terms Canada's disappointment that Indonesian has failed to act on the commitments it undertook at the 51st UNCHR and strongly convey to the Indonesian government that this continuing history of non-compliance is a matter of grave and primary concern for the Canadian government;

2. express particularly strong concern about the military crackdown on Timorese youths and call on the Indonesian government to stop the harassment, arrests, abduction, torture, detention and killing of young Timorese who support the self-determination cause or join protest actions, to stop the use of force to deal with protest and dissent and to release all those who have been arrested and detained for their political views;

3. call for the release of Xanana Gusmao;

4. call on the Indonesian government to specifically commit to the radical reduction of military presence in East Timor and to indicate how it plans to implement it;

5. strongly urge the Indonesian government to commit itself to preserve and promote the cultural identity of the Timorese people; specifically, they should be urged to end their transmigration programme, stop military attacks on the Catholic church and stop enforcing the use of Bahasa Indonesia as the official language in East Timor;

6. condemn Indonesia's grave violation of the rights of Timorese women and call on the government to immediately end the forced sterilization of women;

7. express strong support for the UN-sponsored ministerial talks on East Timor; urge the UN General-Secretary to exert all efforts to move the talks to the fundamental issues, specifically the self-determination issue; call on Indonesia to present to the table concrete measures on how to resolve this issue; and urge the parties involved to take steps towards the direct involvement of Timorese representatives as soon as possible;

8. recommend that the UN set up and office in Indonesia.

In addition, we urge the Canadian government to explore with other States, such as the members of the European Union and ASEAN, the possibility of forming an international grouping of nations, which can take collective action, to help move forward the negotiations on the question of East Timor.

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